IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C).No. 8297 of 2004(K)

PETITIONER:

SUNIL VISHWANATH,KUNNATHU HOUSE,
VADAKKUMTHALA EAST P.O,KARUNAGAPILLY,
KOLLAM DISTRICT,PIN-690536.

BY ADV. SRI.C.S.MANU

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY ITS SECRETARY,DEPARTMENT OF REVENUE,GOVERNMENT OF KERALA,GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM.

2. EXECUTIVE ENGINEER (NATIONAL HIGHWAY)
KOLLAM.

3. ASSISTANT ENGINEER(NATIONAL HIGH WAY)
KOLLAM.

4. CHIEF ENGINEER(NATIONAL HIGHWAY)
TRIVANDRUM.

5. DISTRICT COLLECTOR,
KOLLAM.

6. KESAVAN,KUTTIVATTAM JUNCTION
OPP.AYANIMOOTTIL AGENCIES,VADAKKUMTHALA EAST P.O.,
KARUNAGAPILLY,KOLLAM DISTRICT.PIN-690536.

BY GOVT.PLEADER SRI.V.T.K.MOHANAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE REPRESENTATION DT. 18.10.2003 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT.

EXT.P2 : TRUE COPY OF THE REPRESENTATION DT. 18.10.2003 SUBMITTED BY THE PETITIONER TO THE THIRD RESPONDENT.

EXT.P3 : TRUE COPY OF THE REPRESENTATION DT. 18.10.2003 SUBMITTED BY THE PETITIONER TO THE 4TH RESPONDENT.

EXT.P4 : TRUE COPY OF THE REPRESENTATION DT. 18.10.2003 SUBMITTED BY THE PETITIONER TO THE 5TH RESPONDENT.

EXT.P5 : TRUE COPY OF THE LETTER BEARING NO.A-6-23225 DT. 24.12.2003 ISSUED BY THE TAHSILDAR, KARUNAGAPPILLY TO THE THIRD RESPONDENT.

EXT.P6 TRUE COPY OF THE POSTAL ACKNOWLEDGMENT CARD SIGNED BY THE 2ND RESPONDENT FOR HAVING RECEIVED THE REPRESENTATION.

EXT.P7 TRUE COPY OF THE POSTAL ACKNOWLEDGEMENT CARD SIGNED BY THE THIRD RESPONDENT FOR HAVING RECEIVED THE REPRESENTATION.

EXT.P8 TRUE COPY OF THE POSTAL ACKNOWLEDGEMENT CARD SIGNED BY THE 5TH RESPONDENT FOR HAVING RECEIVED THE REPRESENTATION.

TGS

KURIAN JOSEPH J.

W.P.(C) No.8297 of 2004

Dated 17th August, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents 2 to 5 to remove the unauthorised encroachment into the NH-47 on the western portion of the NH-47 at Kuttivattam Junction made by the 6th respondent forthwith."

Learned Government Pleader submits that the matter has been considered by the 5th respondent and appropriate action has been initiated. In case the petitioner has still any grievance left, he may approach the 5th respondent, in which case, the needful action for removal of the encroachment will be taken within another three months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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